

### REMARKS

Reconsideration of this application courteously is solicited.

The Examiner's confirmation of proper establishment of a CPA on February 14, 2003 has been noted with appreciation. The Examiner is correct in acknowledging that claims 1-4 and 6 were pending at the time of the CPA establishment.

Claims 1 and 6 have been rejected under the first paragraph of 35 U.S.C. §112. Claims 1 and 6 have been revised further to delete reference to the quantity M. In view of further amendments in each such claim to specify that a single designated good is analyzed, it is not considered necessary at this time to recite the quantity M in the independent claims. As amended, claims 1 and 6 and all other of the claims are submitted as in full compliance with 35 U.S.C. §112.

Apart from the rejection under 35 U.S.C. §112, first paragraph, claims 1-4 and 6 also have been rejected as purportedly obvious. Specifically, these claims are rejected as purportedly obvious over the previously-cited U.S. Patent 5,974,396 to Anderson, et al. in view of the newly-cited article by Martin Evans. This rejection is traversed.

Each of independent claims 1 and 6 has been amended to recite that the "means for retrieving" retrieves high-ranking clients "who contribute to sales of a single designated good". That is, Applicant's recited "means for retrieving" searches to locate customers who purchase a single certain type of good according to the time period, class of goods and sales rate criteria further recited in the two independent claims. As such, according to the independent claims, Applicant's invention defines and retrieves high-ranking clients who

contribute to sales of a particular product. Applicant's apparatus as set forth in claim 1, and Applicant's method as set forth in claim 6, would not have been taught or suggested by the asserted combination of Anderson, et al. and Evans.

To those of ordinary skill in the art, Anderson, et al. clearly teach clustering. In regard to independent claims 1 and 6, Anderson, et al. teach database construction and analysis with product clusters, not individual products. For instance, column 10, lines 42-46 of Anderson, et al. specifically teach, to those of ordinary skill in the art, that the database stores for each customer, purchase dates, amounts, and discounts for "various product clusters rather than specific products". In the same column, immediately above, Anderson, et al. give examples of such product clusters to those of ordinary skill. See column 10, lines 22-27 which instruct assigning a particular brand of soda into a cluster defined as beverages, and which instruct assigning a particular brand of cat food into a cluster entitled pet foods. Such clustering leads those of ordinary skill in the art to a completely different result than what the Applicant accomplishes.

Nothing in the Evans article would suggest other than Anderson, et al.-style product clustering to those of ordinary skill in the art. Indeed, Evans would encourage those of ordinary skill to do Anderson, et al. clustering in teaching that " 'better' customers" are "those who have the highest monetary value (and frequency) of purchase". See page 8, third full paragraph of Evans.

To demonstrate the differences in results between a conventional method such as that of Anderson, et al., and the method of Applicant, Applicant has included Tables 1 and

2 for reference. Tables 1 and 2 list 16 different beverages that might be found at a retail beverage store in Japan. Table 1 gives sales percentages of the beverages at a given point in time. Table 2 gives the retail price (in yen) at such point in time.

To those of ordinary skill in the art, Anderson, et al. would teach inclusion of each of these 16 different beverages into a beverage "cluster". As this point, Applicant also looks to the Evans article asserted as properly combinable with the teachings of Anderson, et al. Without admitting that the purported combination of Anderson, et al. and Evans is proper, Applicant refers to the 80% of sales discussed in Evans as the "Pareto" principle. Applying Anderson, et al.'s goods clustering instruction and Evans' teaching of searching for those customers who purchase 80% of the goods, Applicant courteously submits that those of ordinary skill in the art would conduct an Anderson, et al.-Evans analysis such that Asahi Super Dry 350 ml (32.20%), Asahi Super Dry Large-bottle (23.70%), Asahi Honnama 350 ml (14.00%), Asahi Super Dry 500 ml (8.00%), and 25 deg. Ichiko (5.20%) would be selected as contributing to an 80% sales rate for the goods cluster shown in Tables 1 and 2. Then, according to this Anderson, et al.-Evans analysis scenario, those customers who purchased these products from the Table would be identified as high-ranking beverage customers. However, those who purchased goods such as Kin-Jirushi Kizakura (sake), and Suntory Kaku (whiskey) would appear to be ignored.

Applicant's invention according to claims 1 and 6, by contrast, would focus on any one of the 16 individual goods shown in the attached Tables. According to Applicant's invention, a list of high-ranking clients would be determined for each specific good, not

any cluster of goods from the Tables. As such, Applicant's invention can determine high-ranking clients from even the least-most purchased goods such as Happo-shu Junnama listed at only 0.40% of total sales. Applicant's invention would determine those clients who contributed to, for example, 80% of the sales of Happo-shu Junnama. In this way, Applicant's claimed invention can be used to still direct advertising mailings to the regular purchasers of Happo-shu Junnama whereas, under the Anderson, et al.-Evans approach, Applicant points out that such purchasers likely would not receive a direct mailing because they would be passed over in favor of the purchasers of Asahi Super Dry 350 ml etc. Alternatively, repeat purchasers of Happo-shu Junnama might receive a direct mailing that does not even list Happo-shu Junnama as an advertised item.

Applicant points out that his invention encourages sales promotion based wholly on purchase histories, i.e., fact, as opposed to conventional marketing promotion techniques involving assumptions. Applicant cites Anderson, et al. as an example of such conventional methods where assumptions are made based upon client characteristics such as age, annual income, hobbies, tastes and the like. In many cases, these selected criteria may offer good results. However, they still do not fully reflect the actual behavior of such purchasers. To the contrary, Applicant's apparatus and method execute searching based only upon factual histories, that is, only upon purchase records for selected, particular products.

In view of the foregoing amendments and Remarks, Applicant courteously urges that the claims are allowable and that this application is in condition for allowance. Favorable action in this regard earnestly is solicited.

Respectfully submitted,

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## LISTING OF CLAIMS

Claim 1. (Twice Amended) A client card mail system, comprising:

means for storing client information including individual information including clients' code numbers, names, sex distinctions, ages, addresses and telephone numbers;

means for storing sales company goods information including sales goods, departments, names of classes of goods, codes for goods, prime unit prices, and sales unit prices;

means for storing information of goods purchased by clients;

means for retrieving results representative of high-ranking clients who contribute to sales of ~~one or more goods~~ a single designated good by setting at least conditions of time period, class of goods and sales rate from the information of the goods purchased ~~such that a limited number of clients, M, are extracted as the high-ranking clients in accordance with the following expression:~~

$$M = A \times R$$

where:

A is the total sales amount of the designated goods, and

R is the sales rate of the designated goods; and

~~means for outputting and printing results retrieved,~~

Claim 2. (Original) The client card mail system according to claim 1, wherein said means for storing client information, said means for storing goods information and said means for storing goods sales information comprise a recording medium such as a magnetic card, a plurality of terminal devices, a main computer, and a data storing device.

Claim 3. (Previously Amended) The client card mail system according to claim 1, wherein said means for retrieving high-ranking clients comprises a plurality of terminal devices and a main computer.

Claim 4. (Original) The client card mail system according to claim 1, wherein said means for outputting and printing the retrieved result comprises a printer and a card issuing machine.

Claim 5. (Cancelled)

Claim 6 (Twice Amended) A method of storage and retrieval for a client card mail system, said method comprising the steps of:

storing client information including individual information including clients' code numbers, names, sex distinctions, ages, addresses and telephone numbers in a storage means;

storing sales company goods information including sales goods, departments, names of classes of goods, codes for goods, prime unit prices, and sales unit prices in said storage means;

storing information of goods purchased by clients in said storage means;

retrieving from said storage means, results representative of high-ranking clients who contribute to sales of ~~one or more goods~~ a single designated good by setting at least conditions of time period, goods class and sales rate from the information of the goods purchased; and

outputting and printing said results retrieved, ~~wherein~~

~~in the step of retrieving, a limited number of clients, M, are extracted as the high ranking clients in accordance with the following expression~~

$$M = A \times R$$

where:

~~A is the total sales amount of the designated goods, and~~

~~R is the sales rate of the designated goods.~~





TABLE 1

SUPPORT RATE OF SINGLE GOODS (%)		
	0	30
Asahi Super Dry 350 ml		32.20%
Asahi Super Dry 500 ml		8.00%
Asahi Super Dry Large-bottle		23.70%
Kin-Jirushi Kizakura		1.60%
Shirayuki Tanba Densho Shikomi		1.10%
Hakutsuru Maru 3L		1.60%
Happo-shu Junnama		0.40%
25 deg. Ilchiko		5.20%
25 deg. Nikaido		0.50%
25 deg. Daigoro 4L		1.40%
25 deg. Hikojiro 4L		1.30%
Suntory Kaku		2.20%
Suntory Reserve 10-year		1.20%
Suntory Super Chuhai		3.40%
Asahi Honnama 350 ml		14.00%
Sapporo Nama Shibori 350 ml		2.10%

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TABLE 2

EACH RETAIL PRICE OF  
EACH GOODS (Yen)

Asahi Super Dry 350 ml	3799
Asahi Super Dry 500 ml	5170
Asahi Super Dry Large-bottle	5070
Kin-Jirushi Kizakura	1170
Shirayuki Tanba Densho Shikomi	980
Hakutsuru Maru 3L	1390
Happo-shu Junnama	2080
25 deg. Ichiko	1300
25 deg. Nikaldo	1320
25 deg. Dalgoro 4L	1880
25 deg. Hikojiro 4L	1480
Suntory Kaku	2730
Suntory Reserve 10-year	1680
Suntory Super Chuhal	95
Asahi Honnama 350 ml	2280
Sapporo Nama Shibori 350 ml	2480

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